

REMARKS

Claims 1-128 are pending in the present application.

This Amendment is in response to the Office Action mailed July 22, 2008. In the Office Action, the Examiner rejected claims 1-8, 10, 11, 24-32, 33-40, 42, 43, 56-64, 65-72, 74, 75, 88-96, 97-104, 106, 107, 120-128, 129-136, 138, 139, 152-160 under 35 U.S.C. § 102(a); and claims 9, 12-14, 41, 44-46, 73, 76-78, 105, 108-110, 137, 140-142, 15-23, 47-55, 79-87, 11-119, 143-151 under 35 U.S.C. § 103(a).

Applicant has amended claims 1, 33, 65, and 97. Reconsideration in light of the amendments and remarks made herein is respectfully requested.

I. REJECTIONS UNDER 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 1-8, 10, 11, 24-32, 33-40, 42, 43, 56-64, 65-72, 74, 75, 88-96, 97-104, 106, 107, 120-128, 129-136, 138, 139, 152-160 under 35 U.S.C. § 102(a) as being anticipated by U.S. Patent No. 6,412,110 issued to Schein et al. ("Schein"). Applicant respectfully traverses the rejection for the following reasons.

Schein may have disclosed a portion of a visual indicator specifying the active cell that is visually different from another portion of the visual indicator (Fig. 1, mouse pointer, Col. 4, lines 21-32). The Examiner stated, "The top portion of the pointer is used to specify an active cell, and is visually different from the bottom portion of the pointer." Unlike Schein, the visual indicator in the present invention is a (solid) line corresponding to a single point in time of an active cell (i.e., Fig. 17, the visual indicator is the vertical line that lies between 2:00 pm and 2:30 pm and the active cell is Backstory), wherein a portion of the visual indicator specifying the active cell is visually different from another portion of the visual indicator. As can be seen in Fig. 17, for example, the portion of the visual indicator that shows the active cell is the dotted line as oppose to the solid line (another portion of the visual indicator that does not show the active cell). To clarify the claimed invention, Applicant has amended the independent claims to include that the visual indicator is displayed on all cells of said active point in time disposed with the program grid. In contrast to Schein, the mouse pointer is not display on all cells of the active point in time (Fig. 1, approx. 7:30 pm) but only on the last two cells (i.e., channels 10, 11). Furthermore, in Schein, there are two visual indicators (one is the dotted line that indicates an active point in time and the other is the mouse pointer that points to the active cell). In contrast to the present invention, there is one visual indicator have at least two portions that are visually

different (i.e., solid vs. dotted) and that one of the visually different portion specifies an active cell.

To support a 102 rejection, the Examiner must show that “each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Verdegaal Bro. v. Union Oil Co. of California, 814 F.2d 628, 631 (Fed. Cir. 1987), (MPEP §2131). In addition, “[t]he identical invention must be shown in as complete detail as is contained in the ... claim.” Richardson v. Suzuki Motor Co., 868 F.2d 1226, 1236, 9 USPQ2d 1913, 1920 (Fed. Cir. 1989), (MPEP §2131). Here the Examiner has not pointed out the specific language in Schein that teaches a visual indicator that is displayed on all cells of the active point in time disposed with the program grid.

Schein, taken alone or in any combination, does not disclose, suggest, or render obvious a visual indicator that is displayed on all cells of the active point in time disposed with the program grid.

Since there is no showing of the identical invention in as complete detail as is contained in the claim, Applicant respectfully requests that rejection under 35 U.S.C. §102(a) be withdrawn.

III. REJECTIONS UNDER 35 U.S.C. § 103

The Examiner rejected: 1) claims 9, 12-14, 41, 44-46, 73, 76-78, 105, 108-110, 137, 140-142 under 35 U.S.C. § 103(a) as being unpatentable over Schein et al. in view of U.S. Patent No. 6, 857, 128 issued to Borden ("Borden"); 2) 15-23, 47-55, 79-87, 111-119, 143-151 under 35 U.S.C. § 103(a) as being unpatentable over Schein et al. in view of U.S. Publication No. 2002/0144264 filed by Broadus ("Broadus").

Applicant respectfully traverses the rejections for the following reasons.

Borden discloses a scrollable program title area that is reduced in size to allow for a program details area. Program detail area contain expanded information for the program selection area row. The channel information box in the program details area can display additional information about the channel identifier of a row (Col. 4, lines 3-9). Borden does not disclose a visual indicator that has a of portion specifying an action cell wherein that portion is visually different from other portion of the visual indicator, and that the visual indicator is displayed on all cells of the active point in time disposed with the program grid.

Broadus discloses a visual indicator (i.e., a strip 514 in Fig. 5). However, Broadus does not disclose a strip that has a portion specifying an action cell wherein that portion is visually different from other portion of the strip (i.e., solid vs. dotted), and that the strip is displayed on all cells of the active point in time disposed with the program grid.

Schein, Borden, Broadus, taken alone or in any combination, do not disclose, suggest, or render obvious a visual indicator that has a of portion specifying an action cell wherein that portion is visually different from other portion of the visual indicator, and that the visual indicator is displayed on all cells of the active point in time disposed with the program grid. This aspect of the invention is supported in the specification on Figs 17-25 and is recited in amended claims 1, 33, 65, and 97.

Therefore, Applicant believes that independent claims 1, 33, 65, 97 and their respective dependent claims are distinguishable over the cited prior art references. Accordingly, Applicant respectfully requests the rejections under 35 U.S.C. § 102(b) and § 103(a) be withdrawn.


CONCLUSION

In view of the amendments and remarks made above, it is respectfully submitted that the pending claims are in condition for allowance, and such action is respectfully solicited. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to contact the undersigned attorney at the number listed below.

The Commissioner is hereby authorized to charge payment of any required fees associated with this Communication or credit any overpayment to Deposit Account No. 04-1175.

Respectfully submitted,
PIONEER NORTH AMERICA, INC.

Dated: 10/20/08



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